10/538232

JC20 Rec'd PCT/PTO 09 JUN 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

: Schlosser et al.

FOR

METHODS FOR THE PRODUCTION OF

A GRANULAR PIGMENT, GRANULAR

PIGMENT, AND USE THEREOF

SERIAL NO.

Unknown

FILED

: Herewith

EXAMINER

N/A

ART UNIT

Unknown

CONFIRMATION NO.

Unknown

ATTORNEY DOCKET NO.

PSEE 200024

INFORMATION DISCLOSURE STATEMENT

MAIL STOP PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant(s) submit(s) the following Disclosure Statement concerning art of which the applicant(s) is (are) aware. A copy of PTO-1449 is enclosed herewith.

This Information Disclosure Statement should not be construed to be an admission that any information referred to herein or submitted herewith is "prior art" or is considered to be material to patentability for this invention.

The United States Patent and Trademark Office OG Notice dated 12 October 2004 published a final rule revising 37 C.F.R. 1.98 dealing with the content of Disclosure Statements. Paragraph (a)(2) was revised to read in part, "A legible copy of: (i) Each foreign patent; (ii) Each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office." Therefore, Applicant(s) has (have) not enclosed copies of

the cited U.S. patents and published patent applications with this Information Disclosure Statement.

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In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information
Disclosure Statement should not be construed to mean that a search has been made
or that no other material information as defined in 37 C.F.R. §1.56(b) exists.
Under § 1.98(a)(3), a concise explanation of relevance is required for
information that is not in the English language. Accordingly, the English language
documents have no further explanation.
All of the cited and/or included documents were cited by the European
Patent Office. A copy of the European Search Report is attached to the published
international application.
Consideration of the appropriate paragraph(s) indicated below is respectfully
requested:
WITHIN THREE MONTHS OF FILING: Under § 1.97(b)(1), this
Information Disclosure Statement is being filed within three months of the filing date
of the application (or date of entry of the national stage). Although it is believed no
fee is necessary, any deficiency in fees should be handled as set forth below.
BEFORE FIRST OFFICE ACTION: Under § 1.97(b)(3), this
Information Disclosure Statement is being filed before the mailing date of a first
Office Action on the merits. Although it is believed no fee is necessary, any
deficiency in fees should be handled as set forth below.
☐ BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR
ACTION THAT CLOSES PROSECUTION/WITH STATEMENT: Under § 1.97(c)(1),
this information shall be considered if filed before the mailing date of a final action, or
a Notice of Allowance or action that otherwise closes prosecution in the application if
accompanied by the statement:
Under S. 1.07(e)(1), the undersigned states:
Under § 1.97(e)(1), the undersigned states:
A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or
☐ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person

signing the certification after making reasonable inquiry, no item of information

contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement. BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/WITH FEE: Under § 1.97(c)(2), this information shall be considered if filed before the mailing date of a final action if accompanied by a fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below. AFTER FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/AND ON OR BEFORE PAYMENT OF THE ISSUE FEE: Under § 1.97(e)(1), the undersigned states: 1. Α. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement; and 2. the fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below. PRIORITY CLAIM: The attached PTO 1449 Form includes all patents, publications, or other information previously cited by or submitted to the Office in one or more prior applications from which the present application claims priority. These one or more prior applications are identified in the papers accompanying the filing of

Any payment due for the filing of this Information Disclosure Statement is authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please

this application.

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charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

It is respectfully requested that the attached document(s) be considered and officially cited in examination of this application.

Respectfully submitted,

FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP

June 9, 2005

Mark E. Bandy, Reg. No. 35,788 1100 Superior Avenue, Seventh Floor Cleveland, OH 44114-2579

216-861-5582

CERTIFICATE OF MAILING

EV 49	Express Mail Label No.: 4957332 US	Signature Laurie W. Boulan					
	Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. transmitted to facsimile number under 37 C.F.R. 1.8 on the date indicated below. deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Mail Stop, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.						
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Substitute for Form 1449/PTO		COMPLETE IF KNOWN				
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INFORMATION DISCLOSURE			Filing Date		Herewith	
			First Named	Inventor	Schlosser et al.	
(Use as many sheets as necessary)			Art Unit		Unknown	
(000)			Examiner Name		N/A	
	She	et 1 of 1	Attorney Doo	ket No.	PSEE 200024	
			U.S. P	ATENT DOCU	MENTS	
Examiner . Initials*	Cite No.	Document No. Number-Kind Code (if known)	Publication MM-DD-Y		Name of Patentee or Applicant of Cited Document	
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Examiner	Cite	Foreign Patent Document		Publication Date	e Name of Patentee or	Т
Initials*	No.	Country Code-Number Kir		MM-DD-YYYY	Applicant of Cited Document	
		Country Code-Number Nu				
-	AK	DE 10211427		10/2003	Rettenmaier & Soehne GMGH & Co.	
	AL	AL GB 2009204		06/1979	Ciba-Geigy AG	
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